

EXTENSIONS OF REMARKS

CURRENT LEGISLATIVE TRENDS
OUT OF TOUCH WITH PEOPLE OF
WESTERN NORTH CAROLINA

HON. CHARLES H. TAYLOR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 1994

Mr. TAYLOR of North Carolina. Mr. Speaker, results of the biannual issues questionnaire sent to households in western North Carolina's 11th Congressional District underscore the traditional attitudes of WNC residents, and demonstrate how out of touch Washington is with WNC citizens and their needs.

The 15,000 completed surveys offer a good portrait of western North Carolina's attitudes toward many issues currently being debated in Congress. As the elected representative of WNC, these surveys are invaluable, especially as the fall session of Congress convenes.

HIGHLIGHTS OF SURVEY

Although the proposal has been languishing for years in Washington, 65.8 percent support a line-item Presidential veto as a means to trim the fat in Washington.

The region's strong work ethic and attitude of self-reliance is demonstrated in the finding that 84.2 percent support at 2-year limit on welfare benefits.

Traditional values are highly esteemed in western North Carolina. Abortion coverage in any national health care system is opposed by 69.9 percent of survey respondents.

WNC citizens do not believe crime will be reduced by taking guns from law-abiding citizens—69.8 percent say that gun control will not reduce crime.

Reducing the tax burden for families and the middle class receives high marks, 61.5 percent favor a tax cut for the middle class.

Western North Carolina is deeply divided over the proposed 75-cent-per-pack tax to fund health care reform. Support for and opposition to a cigarette tax was split nearly 50/50.

In region that has often suffered severe economic downturns, 65.4 percent favor a reduction in the capital gains tax, thus offering incentives for business investment and jobs creation.

Individualism and the desire for personal choice are demonstrated in the overwhelming opposition to Government-controlled health care, 91.0 percent oppose a national health plan that restricts their choice of physicians.

Social Security is a vital program that should not be used by the Federal Government to solve budgetary problems elsewhere, 87.7 percent oppose additional Social Security taxes and COLA cuts.

These survey results, coupled with direct citizen input I received at townhall meetings in 16 counties, send clear messages.

Being a Member of Congress is about representation, which isn't possible without listening. The people of western North Carolina

have spoken regarding these issues and it is my responsibility to bring their opinions to Washington.

MAY DUGAN CENTER HAS ITS
25TH ANNIVERSARY

HON. MARTIN R. HOKE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 1994

Mr. HOKE. Mr. Speaker, I rise to congratulate the May Dugan Center on its 25th anniversary and join the community in recognizing the center's dedication and commitment to helping people move forward with their lives through an effective and creative social assistance program.

The May Dugan Center is a not-for-profit social services agency specializing in basic needs such as family, homes, education, jobs, and community participation. The staff and volunteers at May Dugan work to provide stability to over 10,000 individuals annually who face poverty, unemployment, and other similar problematic situations.

The May Dugan Center's successful social programs, which are designed to encourage a sense of self-worth and independence, have repeatedly resulted in improved lifestyles. In 1993, the Trustees' Core Services assisted a total of 2,668 families and placed 221 families in low-cost housing. The staff and volunteers also helped 747 people find employment through an established jobs bank including 293 employer participants. The center was responsible for finding jobs for 97 people within the public and private sector.

In honor of its 25th year of service, the May Dugan Center is sponsoring an anniversary campaign, a community open house, and a benefit to allow area supporters, benefactors, and trustees to contribute to its worthy cause. As part of the celebration, the members of the center aim to strengthen and improve a system that has been successfully maintained by the neighborhood board of trustees.

Please join me in congratulating the staff, volunteers, and trustees at the May Dugan Center for their continuing efforts to assist our inner-city and near West Side families and individuals. The May Dugan Center represents a fine example of people helping people in the 10th Congressional District.

CONGRATULATIONS ALBERTA E.
DANIELS ON YOUR RETIREMENT

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 1994

Mr. PAYNE of New Jersey. Mr. Speaker, I would like to bring to the attention of my col-

leagues the retirement of Alberta E. Daniels of East Orange, NJ.

Ms. Daniels will soon retire as a senior correctional officer with the State of New Jersey's Department of Corrections. She also has been an Essex County Sheriff's officer. Prior to her employment with the Essex County Sheriff, she was an electronics operator with Radio Corporation of America [RCA].

Ms. Daniels has been long active in civic and political affairs. She is the former chairperson of the East Orange Democratic County Committee, where she has the distinction of being the only woman to serve in that position. She has been affiliated with the PBA Local 105, the Child Placement Review Board, and the East Orange Board of Fire Commissioners.

Ms. Daniel's life has been filled with firsts. As previously mentioned, she was the first woman to serve as chair of the East Orange Democratic County Committee. She was one of the first women to ever serve on the East Orange Board of Fire Commissioners. She was also one of the first officers to work in a coed halfway house in New Jersey. Ms. Daniels is an example of a first-rate citizen and community activist.

Mr. Speaker, I am sure my colleagues will want to join me as I congratulate her on her retirement and offer my best wishes for the future.

WE SHOULD EXAMINE OUR
DEFENSE POLICIES

HON. JON KYL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 1994

Mr. KYL. Mr. Speaker, we often debate the defense budget and foreign policy as abstract topics which do not relate to the lives of the people in our districts. However, the relevance of these topics to at least one family in Arizona was reported Monday night in Phoenix by Alisa Becerra of the channel 10 news. In that report, the mother of Pvt. Christopher Donahue recounted the emotional rollercoaster ridden by her family while her son was deployed to Somalia in May 1993, and then returned to the United States in March, and has now left for the mission in Haiti.

In response to this repeated call to arms for her son and thousands of other young Americans, Mrs. Donahue asked, "Is there no other army to pull from in this whole world? They have to have the same boys that were just in Somalia?"

Unfortunately, when we repeatedly fail to adequately fund our national security requirements, while at the same time expanding our commitments abroad, we are not just threatening our defense capabilities, we are placing an

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

excessive and unnecessary burden on the courageous men and women who volunteer to serve us in the U.S. military. In fact, we're so short on manpower that Secretary Perry had to place on alert 1,600 reservists.

Before we send thousands of our finest young troops on yet another ill-defined mission, we should give the needs of our personnel more complete consideration.

DELAURO HONORS ROBERT J.
LEENEY

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 1994

Ms. DELAURO. Mr. Speaker, on Thursday, September 22, 1994, the New Haven Colony Historical Society will present its annual Seal of the City Award. This award is given to those whose activities or ideas have significantly added to the quality of life, the prosperity or the general improvement of the south central Connecticut region. The Seal of the City Award was inspired by the lost public seal which was presented to the general court of the colony of New Haven by Governor Theophilus Eaton in 1656. That seal was replaced by the one designed in 1784 by some of New Haven's forefathers, Ezra Stiles, James Hillhouse, and Josiah Meigs. I am honored to pay tribute to this year's recipient, Robert J. Leeney.

From the time he began working for the New Haven Register 30 years ago, first as a theatre critic, then as an editor, and now editor emeritus, Bob has touched many lives and captured the spirit of our community with his writing. His columns for the Register were marked by an intimate understanding of New Haven's unique personality and local history. As editor emeritus, he currently writes a weekly column that touches on many different subjects, from the New Haven he knew as a boy to local politics and world events.

In addition to his gifts as a writer, Bob's tremendous leadership talents have had a lasting and positive impact on our community. Bob has played a leadership role on the board of directors of many local institutions, including the Hospital of St. Raphael and Albertus Magnus College. He is a past director of the Arts Council of Greater New Haven, former president of the Kiwanis Club, and a past director and vice-president of the Greater New Haven Chamber of Commerce. At every opportunity, in his professional and personal life, Bob has made a real difference for the people of New Haven.

Bob Leeney is an outstanding individual who is caring and compassionate, and through his involvement in the community, he is making life better for us all. I commend the New Haven Colony Historical Society for recognizing his extraordinary contributions, and I congratulate him for receiving this well-deserved award.

TRIBUTE TO BENJAMIN ESTOCK

HON. JACK REED

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 1994

Mr. REED. Mr. Speaker, I rise today to salute a distinguished young man from Rhode Island who has attained the rank of Eagle Scout in the Boy Scouts of America. He is Benjamin Estock of Troop 7 in Scituate, RI, and he is honored this week for his noteworthy achievement.

Not every young American who joins the Boy Scouts earns the prestigious Eagle Scout Award. In fact, only 2.5 percent of all Boy Scouts do. To earn the award, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. He must earn 21 Merit Badges, 11 of which are required from areas such as citizenship in the community, citizenship in the Nation, citizenship in the world, safety, environmental science, and first aid.

As he progresses through the Boy Scout ranks, a Scout must demonstrate participation in increasingly more responsible service projects. He must also demonstrate leadership skills by holding one or more specific youth leadership positions in his patrol and/or troop. This young man has distinguished himself in accordance with these criteria.

For his Eagle Scout project, Ben organized a work crew and cleared an established trail near Cucumber Hill Road.

Mr. Speaker, I ask you and my colleagues to join me in saluting Eagle Scout Benjamin Estock. In turn, we must duly recognize the Boy Scouts of America for establishing the Eagle Scout Award and the strenuous criteria its aspirants must meet. This program has through its 84 years honed and enhanced the leadership skills and commitment to public service of many outstanding Americans, two dozen of whom now serve in the House.

It is my sincere belief that Benjamin Estock will continue his public service and in so doing will further distinguish himself and consequently better his community. I join friends, colleagues, and family who this week salute him.

WEATHERMAN WEBSTER
WEATHERS 30 YEARS WITH WEWS

HON. MARTIN R. HOKE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 1994

Mr. HOKE. Mr. Speaker, I rise today to recognize Mr. Don Webster, a good friend and valued constituent, but more notably a charismatic and successful weatherman known throughout northeast Ohio by area television viewers, fellow broadcasters, and media producers.

Don Webster began his career as a writer and a reporter at CKPC radio in Ontario, Canada, and also spread his unique talents across Hamilton with CKOC and Montreal with CKGM. His first on-air appearance was at CHCH television in Hamilton/Toronto.

In 1964, Don became a naturalized American citizen and joined WEWS TV5 in Cleveland, OH. A versatile television personality, Don starred as the host of several local programs including the nationally syndicated rock-and-roll show "Upbeat."

Mr. Webster's wide range of outside interests have found him engaging in everything from flying airplanes to sailing the Great Lakes. His favorite pastimes led him to pursue extensive training in meteorology, which ultimately helped him land an on-air position as weathercaster for WEWS channel 5 from 1971 to 1982.

While Don was forecasting the Cleveland area weather, he was busy hosting "The Ohio Lottery Show" and "Academic Challenge" as well. In addition, he found the time to create and cohost "Live on Five," an early evening news program which aired for the first time in 1973.

In 1984, the well-known weatherman switched gears and became the executive assistant to the general manager for WEWS, and later assumed the position of station manager. After mastering all aspects of media production and broadcast management, Don was wooed back to the small screen in April 1989 as the weatherman emeritus.

Aside from his television stardom and tornado watching, the enthusiastic and caring weatherman has volunteered countless hours to charitable organizations throughout greater Cleveland. He is a member of the Lutheran Medical Center Foundation Board and has been consistently active with the Red Cross, the American Cancer Society, the Special Olympics, and the Juvenile Diabetes Foundation, to name only a few.

I am proud to join the city of Cleveland in honoring one of northeastern Ohio's favorite television personalities as he celebrates his 30th anniversary at WEWS channel 5.

JEANETTE SHELL—A LOCAL
INSTITUTION

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 1994

Mr. PAYNE of New Jersey. Mr. Speaker, I would like to bring to the attention of my colleagues a celebration that will be held on Sunday, September 25 in Union Township, NJ. Three generations of township residents and visitors to the public library will pay tribute to Jeanette Shell who retired in July, 1994 with 45 years of service to the public library system.

Mrs. Shell began her employment with the Township of Union Free Public Library on January 3, 1949 as a junior library assistant. Over the years she was promoted to senior library assistant, supervising library assistant, and supervisor at the Vauxhall Branch. She also handled scheduling at the main library and assisted in the reference department.

The role of the librarian can be critical to the utilization of the facility. Mrs. Shell was a devoted and conscientious employee who always served the public in a courteous and friendly manner. Her services truly will be missed.

Mr. Speaker, I am sure my colleagues will want to join me and the three generations of New Jerseys that will gather on Sunday to express thanks and appreciation for the services Mrs. Shell rendered.

ARTS AND HUMANITIES

HON. PAT WILLIAMS

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 1994

Mr. WILLIAMS. Mr. Speaker, on Monday of this week President Clinton once again indicated his strong interest and support for the arts and humanities by appointing a number of prominent Americans to the President's Committee on the Arts and Humanities. I want to commend the President for this, and to thank him for his continued efforts to advance and maintain our Nation's cultural traditions.

President Clinton's actions yesterday will hopefully revitalize the 12-year-old citizens arts and humanities support group. I especially want to applaud the appointment of John Brademas to chair the committee. Throughout his distinguished career, John Brademas has been a champion for the arts and humanities. I am confident he will provide the knowledge and vision that the committee will need if it is to successfully perform the important job before it.

The committee has not been particularly active in the recent past, however its charge to promote the arts and humanities and increase private support for them is truly needed now, perhaps more so than ever before. No one sector can provide all of the support that the arts and humanities need to flourish. We must have partnerships, not only between different levels of government, but also with the private sector. The new President's Committee can be of assistance in fostering these partnerships.

As chair of the committee having jurisdiction over the Arts and Humanities endowments, I hope the President's Committee will see itself as a resource, not only to the endowments but also to our committee as we begin the process of reauthorizing the NEA, the NEH, and the IMS. This may well be the most important reauthorization these agencies have ever undergone. There are many issues that have to be explored and many questions to be asked and answered regarding the direction of Federal support for the arts and humanities. Although the President's Committee has no official legislative authority or responsibility with respect to these agencies, I'll be looking to the committee for appropriate guidance and counsel as my committee reviews the NEA, the NEH and IMS. The new members to the President's Committee have years of wisdom, experience, and knowledge in the arts and humanities, and I'll be calling on them to share their thoughts and comments with me and my committee.

EXTENSIONS OF REMARKS

NATIONAL FAMILY LITERACY DAY

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 1994

Mr. GOODLING. Mr. Speaker, today Congressman TOM SAWYER and I are introducing a joint resolution declaring November 1, 1994 as National Family Literacy Day.

As we look to reforming our Nation's schools, one fact has become evident—there is a strong relationship between the literacy skills of a parent and the educational achievement of their children.

Unfortunately, millions of Americans are trapped in a cycle of poverty, dependency, and undereducation—and it impacts heavily on the ability of their children to do well in school. Family literacy programs open a door for such families, allowing them to work together to create a better future.

Family literacy programs not only provide parents with the literacy skills they need to obtain employment and help their children with their homework, they provide children with the skills they need to start school ready to learn—and to keep learning.

Several years ago I introduced, and Congress enacted, the Even Start Program, a family literacy program which provides parents with education and job skills and their children with a quality preschool program. In addition, it provides parents with the skills they need to truly be their child's first and most important teacher. This program has been very successful.

Family literacy programs such as Even Start can also increase parental involvement in education. They encourage parents to read to their children and to become active participants in their child's education. Secretary of Education, Richard Riley, in outlining his new parental involvement effort, cited an Even Start family literacy program as a good example of an effective parental involvement program.

I encourage you to join Congressman SAWYER and I in paying tribute to family literacy programs by declaring November 1, 1994 as National Family Literacy Day. These programs play an important role in school reform, welfare reform, and can even play a role in a reduction in crime. They deserve our support.

TRIBUTE TO ROBERTA JANE MATHENEY LEBLANC

HON. PETE GEREN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 1994

Mr. PETE GEREN of Texas. Mr. Speaker, today I rise to pay tribute to Mrs. Roberta Jane Matheney LeBlanc, a remarkable individual and a citizen of the 12th Congressional District of Texas.

Mrs. LeBlanc is being honored as the 1994 Private Sector Blind Employee of the Year. This prestigious award is issued by the National Industries for the Blind, a not for profit organization dedicated to the employment and

September 22, 1994

personal empowerment of individuals who are visually impaired. Mrs. LeBlanc personifies all that this award represents to people who are blind and who aspire to earn an independent living for themselves and their families through meaningful employment.

Following her graduation from the Alabama Institute for the Deaf and Blind where she was valedictorian of her class, Mrs. LeBlanc was hired by the Lighthouse for the Blind in Fort Worth, TX. There she successfully mastered a variety of assembly and packaging skills, and testing soon demonstrated that she was ready for the private sector.

Today, Mrs. LeBlanc works for Tandy Electronics Wire and Cable, a division of the Tandy Corp. of Fort Worth. Mrs. LeBlanc works alongside 240 other employees packaging products such as shrink tubing and telephone cords. She also assembles connectors to cable assemblies for CB radio systems. Mrs. LeBlanc communicates with her fellow employees through the use of a Tele-Braille, a device that translates typed words into braille.

On October 3, 1994, Mrs. LeBlanc will be officially honored at the annual conference of the National Industries for the Blind. Please join me in applauding this courageous woman for her perseverance in meeting so many difficult challenges, living her life to the fullest and setting an example for others.

THE ALLIANCE OF POLES OF AMERICA HOSTS ITS 38TH QUADRENNIAL CONVENTION

HON. MARTIN R. HOKE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 1994

Mr. HOKE. Mr. Speaker, I rise today to recognize the members of the Alliance of Poles of America and commemorate the 38th Annual Quadrennial Convention held on September 3-5, 1994 at the Alliance of Poles of America Auditorium in Cleveland, OH.

The Alliance of Poles represents a strong union of Poles, Americans of Polish descent, brethren of Slavic heritage, and individuals whose ancestry is traceable prior to the partition of Poland. Established in 1895, the organization seeks to uphold Polish ethnicity among its members as well as assist those who are unfamiliar with American laws, culture, and traditions.

The members of the Alliance of Poles receive financial support through the organization's Federal credit union. The alliance maintains a scholarship program, offers Polish and English language classes, sponsors educational seminars and promotes recreational and social activities for its members.

In addition to contributing to the well-being of its members, the Alliance of Poles actively supports several charitable organizations, including veterans groups, blind children in Poland, churches, and civic groups throughout Greater Cleveland.

I am proud to commend the Alliance of Poles of America's 38th Quadrennial Convention in honor of its continued success in offering fraternal benefits to its ethnically cohesive

membership and maintaining the great Polish traditions.

JOHN CURRIE, A CONSUMMATE
LEADER

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 1994

Mr. PAYNE of New Jersey. Mr. Speaker, I would like to bring to the attention of my colleagues a testimonial banquet that will be held in New Jersey tomorrow where John Currie will be honored amongst others.

John Currie, who was born in North Carolina, has been a distinguished resident of Passaic County for many years. He is a proud graduate of the Paterson public school system. After graduating from Central High School, John attended Rutgers University where he pursued studies in business administration.

John Currie is the only African-American county chairman of the New Jersey State Democratic Party. He is serving his fifth year as chairman of the Passaic County Democratic Party.

He has been employed for 26 years at Hawthorne Chevrolet, where he is the Corvette manager. He also serves as director of the Rahway Motor Vehicle Agency in Rahway, NJ.

John's commitment to his hometown of Paterson has been exemplified by his work for the silk city. He has served as commissioner on the Paterson Board of Recreation and as an executive board member of the Savio Association of St. Gerard's Church. He has also served as president of Eastside/Central/Kennedy High Schools Alumni Association, commissioner of the Boy Scouts of America, and is a past member of the Paterson Jaycees. He is an active member of the NAACP.

John's efforts have not been limited to Paterson. He is an active member, contributor, advisor, and supporter of numerous civic organizations and committees. As founder of the Hawthorne Corvette Association, John was instrumental in raising over \$50,000 for leukemia patients and the needy in Passaic County. He has received numerous awards and citations for his community involvement. John also serves as a member of the board of directors of the United Way of Passaic Valley.

Mr. Speaker, I know my colleagues will want to join me as I congratulate John on his accomplishments and extend best wishes to him, his wife, Iris LeDuc-Currie, and their three children, Devaughn, Deric, and Samuel. I would also like to congratulate John's fellow honorees, Carnie Bragg, Elain Harrington, and Venice Harvey.

EXTENSIONS OF REMARKS

INTRODUCTION OF THE INSURANCE SALES AND UNDERWRITING CONSUMER PROTECTION ACT OF 1994

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 1994

Mr. DINGELL. Mr. Speaker, today I am introducing the "Insurance Sales and Underwriting Consumer Protection Act of 1994." Joining me in introducing this bill is Chairwoman CARLISS COLLINS, who chairs the Energy and Commerce Subcommittee on Commerce, Consumer Protection, and Competitiveness.

This legislation requires that anyone who provides insurance, whether or not they are an insurance agent or company, will have to comply with the same State consumer protections imposed on those in the business of insurance.

It may seem unnecessary to have a Federal law saying that those in the insurance business must comply with State insurance laws, but I assure my colleagues that it is very necessary. Hearings in the Energy and Commerce Committee, in both its Oversight and Investigations Subcommittee and its Commerce, Consumer Protection, and Competitiveness Subcommittee, as well as recent actions of the Comptroller of the Currency, demonstrate that this legislation is sorely needed.

First, during Energy and Commerce oversight hearings on the problems faced by financial services providers as a result of savings and loan failures, we discovered that a number of failed savings and loans had sold insurance products to their customers, and that they had done so without disclosing to these customers that the insurance products were not insured by the Federal Government. When the savings and loans failed—and the insurance company that had underwritten many of these policies also failed—customers were stunned to discover that the FDIC did not cover their insurance. As a result, they suffered both emotional and financial losses.

A second example became evident in the aftermath of the Los Angeles riots following the Rodney King trial. Many of the small business people devastated by the riots claims with their insurance companies, only to find out that these companies had violated California law by selling insurance in California without authorization. Many of these companies would not or could not pay these valid claims. Many of these businesses were forced to close and others suffered extreme financial difficulties because the "insurance" they purchased was no insurance at all.

Finally, there is the so-called retirement CD. This is a product offered by the Blackfeet National Bank which is designed to obtain FDIC insurance protection for an annuity, that is, insurance, product. The promoters of this product have described it as free from taxes on inside buildup, as is true of life insurance; as insured by the FDIC; and as free from all State insurance regulation, whether these regulations apply to underwriting financial requirements to protect the safety and soundness of the bank or to consumers protection requirements. The Comptroller of the Currency has

approved this product for bank sales subject to certain conditions, and appears to agree with the idea that Federal banking laws preempt State insurance laws, and that banks may provide insurance. Not only is it absolutely clear that Congress has never preempted States insurance laws as to banks providing insurance, it is also a clear misreading of the laws Congress has passed. The National Bank Act has been interpreted to prohibit national banks from engaging in the business of insurance. In addition, the Glass-Steagall Act prohibits banks from engaging in commerce.

It is well known that the Energy and Commerce Committee has had many hearings on the inadequacy of the current State insurance regulatory system, and that I believe that there should be Federal regulation of this interstate and international industry. At the same time, Federal regulation has not yet been established. The State insurance regulatory system is all that currently exists to protect insurance consumers and to ensure the financial stability and safe operations of insurance providers. I believe that it is imperative, for the protection of consumers, and to ensure the financial soundness of the insurance products, that at the very least the existing State insurance standards and protections are met by anyone selling or underwriting insurance, whether they are a bank, foreign company, or insurance company.

The bill I am introducing today does not impose any new substantive requirements on anyone who provides insurance. It simply says that if you provide insurance in interstate commerce, regardless of who you are, you must comply with the insurance sales, licensing, and financial requirements of the State in which you are providing the insurance. If you violate these requirements, and the State does not or for some reason cannot enforce these requirements, the Department of Justice is authorized to bring a civil action to stop you from continuing to provide insurance and to fine you for violating those States requirements. The bill contemplates that the State insurance regulators will remain the primary, frontline regulators in their own States, with the Federal Government in a backup role. This avoids dual regulation.

There is an urgent need for this bill to be introduced today, even though it is very near the end of the legislative session. We need to give notice that we will act to protect consumers. This is particularly necessary as to the retirement CD which I have described. The promoters of this product and the Federal banking regulators appear to believe that their willful disregard of Federal statutes and congressional intent will allow the proliferation of the sales of this product—and will force Congress to allow the continued sale of this product even if Congress otherwise continues to prohibit banks from providing insurance simply because so many banks will be providing the product by the time we enact the legislation. This bill sends a very clear message to these promoters and to the banking regulators that anyone marketing this product does so at its own peril.

This is a simple bill and a simple concept, if you enter the insurance business, you must follow State insurance laws. These State laws

are the minimums needed to ensure that consumers are protected and that those underwriting insurance are adequately and safely financed and invested.

I urge my colleagues to support this legislation.

PROTECTION FOR INSURANCE CONSUMERS

HON. CARDISS COLLINS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 1994

Mrs. COLLINS of Illinois. Mr. Speaker, I am pleased to join with the distinguished chairman of the Energy and Commerce Committee as an original cosponsor of this important consumer protection legislation, the Insurance Sales and Underwriting Consumer Protection Act of 1994.

This legislation stands for a very simple principle—anyone who sells or underwrites insurance in a State should comply with the insurance regulatory requirements of the State, specifically including the consumer protection requirements.

While this is a simple principle which should be obvious to all, it is necessary to restate it as Federal law for two reasons. First, some institutions that sell or underwrite insurance have claimed they are above the law when it comes to selling or underwriting insurance. These institutions claim that because they are not insurance companies, they don't have to comply with the same regulatory requirements that insurance companies or insurance agents have to comply with. This is unfair and leaves consumers without critical protections.

Second, recent revelations regarding the deceptive sale of life insurance products have indicated that some insurance companies also ignore these crucial State consumer protection requirements. While the legislation contemplates that States would continue to have the authority to enforce their own requirements, this Federal legislation would be a backstop if States fail to take action to protect consumers.

I am not necessarily satisfied that current State requirements are adequate to protect consumers, and this is an issue that Congress will continue to pursue. However, at a minimum, I think all should agree, those who sell or underwrite insurance should comply with the State requirements.

This bill is an attempt to put this simple principle into law and improve the protections for insurance consumers.

This legislation is supported by a broad coalition including insurance companies, insurance agents, and the Consumer Federation of America, and I urge my colleagues to support it.

EXTENSIONS OF REMARKS

IT'S TIME TO TAKE A SECOND LOOK AT PAKISTAN

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 1994

Mr. McDERMOTT. Mr. Speaker, today I am introducing a sense-of-the-House resolution regarding several recent troubling developments in Pakistan. As our colleagues know, in 1992 Pakistan was placed on the State Department's "Watch List" of countries suspected of exporting terrorism. In 1993, however, the State Department dropped Pakistan from its "Watch List." Since the State Department took this action, there have been several startling revelations which suggest our State Department needs to reexamine its decision to drop Pakistan from its "Watch List."

First, the Washington Post recently reported that former Pakistan Prime Minister Nawaz Sharif stated publicly that his former Chief of Staff and the former head of the Inter Services Intelligence Agency [ISI] informed him while he was Prime Minister that they had several covert actions in other countries in dire need of funding and they wanted to pay for these activities from the profits of large-scale narcotics transactions.

Second, a suspect recently was arrested in the March 1993, terrorist bombings of the Bombay Stock Exchange and other sites in that city. Killed in one of the most terrible acts of violence ever were 317 innocent people. The suspect has implicated the ISI in the bombings, claiming the ISI provided his associates and him with money, weapons, and explosives, as well as directions on where to place the bombs. The suspect, an Indian citizen, possessed a number of incriminating items, including a Pakistan passport and identity card. The suspect's brother and family now reside in a lavish residence in Pakistan.

Third, Indian security forces in Kashmir in recent months have arrested numerous Pakistani, Afghani, and Libyan nationals in Kashmir. Those arrested have said they were trained, funded, and armed by ISI-backed elements in Pakistan.

Finally, and most disturbing, former Prime Minister Sharif recently told the world that Pakistan has for some time possessed nuclear weapons. This admission comes after more than 7 years of assurances to the contrary by Pakistan to the United States Government.

Mr. Speaker, these developments come at a time of heightened concern about terrorism, narcotics trafficking, and nuclear proliferation throughout the world. The Government of the United States has spent many billions of taxpayer dollars during the past decade fighting each of these menaces. In light of these four developments, it is vital for the Congress to go on record in favor of a review of the State Department's decision last year to drop Pakistan from the "Watch List" of nations suspected of supporting terrorism. It is also important for Congress to reaffirm the validity of the Pressler amendment, which Congress adopted in 1987. The Pressler amendment states that Pakistan will not receive foreign aid from the United States unless the President of the United States can certify that Pakistan does not have a nuclear device.

September 22, 1994

I urge my colleagues to join me in cosponsoring this important resolution. The questions raised by the recent developments on the Asian subcontinent simply are too important for our Government to ignore.

Whereas the United States Government has longstanding policies opposing the spread of terrorism and advocating the destruction caused by narcotics trafficking;

Whereas the United States Government has devoted tens of billions of United States taxpayer dollars during the past decade fighting terrorism and drugs both within our borders and throughout the world;

Whereas, in 1992, Pakistan was placed on the State Department's Watch List of nations suspected of supporting terrorism;

Whereas, in 1993, the State Department dropped Pakistan from its watch list;

Whereas former Pakistani Prime Minister Nawaz Sharif recently publicly admitted that his Chief of Staff, General Beg, and his head of the Inter Service Intelligence [ISI] Agency informed him while he was Prime Minister that the Pakistani Army and ISI planned to conduct covert acts of terrorism in other countries and fund these activities through large scale narcotics sales;

Whereas 317 Indian citizens were killed in March, 1993, in a series of bombings of the Bombay Stock Exchange and other sites in Bombay in one of the worst acts of terrorism in the twentieth century;

Whereas a leading suspect in the bombing, Yakub Memon, has publicly implicated the ISI in the bombings by accusing the ISI of providing arms, money, and explosives for the attack, and directing Mr. Memon, his brother and their associates on where to place the bombs and by providing Mr. Memon and his brother with transportation to and from Pakistan and a large and lavish house in Pakistan for his brother and his family;

Whereas Indian Security forces in Kashmir have arrested numerous foreign nationals in Kashmir who have confessed to having been trained, funded, supported, and armed by ISI-backed elements across the border in Pakistan;

Whereas former Pakistani Prime Minister Sharif has recently stated publicly that the Government of Pakistan, for several years, has possessed nuclear weapons in direct contradiction to repeated assurances to the United States Government that Pakistan does not possess and is not attempting to develop nuclear weapons;

Whereas in 1987 the United States Congress enacted and President Reagan signed into law the Pressler Amendment banning foreign aid to Pakistan until the President certifies that Pakistan does not possess a nuclear weapon; and

Whereas President Bush and President Clinton have been unable to certify that Pakistan does not possess a nuclear weapon: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that—

(1) the United States, condemns the involvement of Pakistan in acts of terrorism in other countries;

(2) the United States condemns any involvement by Pakistan in the illegal manufacture, sale, transportation, or distribution of any narcotic substance;

(3) the United States urges Pakistan to cooperate with law enforcement authorities in the United States to reduce and eliminate the growing heroin trade in Pakistan, which currently accounts for 20 percent of all the heroin sold in the United States;

(4) the United States urges the Administration to review the State Department decision in 1993 to drop Pakistan from the Watch

List of nations which are suspected of supporting terrorism; and

(5) the United States reaffirms the validity and wisdom of the Pressler Amendment prohibiting foreign assistance to Pakistan in light of Prime Minister Sharif's public admission that Pakistan has possessed nuclear weapons for several years despite repeated assurances to the contrary to the United States.

PRESERVING THE WEST

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 1994

Mr. MILLER of California. Mr. Speaker, in this body, there is much that we can—and do—disagree on. But I think that one thing upon which we can all agree is that the West is settled.

This simple fact should be central to something which is long overdue—a review of the complex, interlocking web of subsidies which the Federal Government has long provided to industries and users of our natural resources.

Last month, the majority staff of the Oversight and Investigations Subcommittee of the Committee on Natural Resources finished a report looking at those subsidies.

Today, I'm inserting into the RECORD an editorial from the St. Louis Post-Dispatch from last August 30 which is about that report.

This editorial raises a number of questions about our natural resource policies. These questions should be debated and answered as we review these increasingly outdated policies.

PRESERVING THE WEST

No region of the United States quite captures the American spirit or mythos as the West. When Americans think of the heart and soul of the American identity, they think of the rugged individualism of the cowboy and the lure of the frontier. They think of the heroism, courage and just plain fortitude it took to "tame" the Wild West.

The country's attachment to the West continues today. Indeed, it is at the root of the burgeoning national debate over the proper stewardship of the West's natural resources, especially those located on public lands. Under the Clinton administration, Secretary of the Interior Bruce Babbitt has begun a painstaking process of re-examining public policy regarding mining, logging and grazing—and met thunderous opposition from Republican legislators.

Still, the premise underlying Mr. Babbitt's efforts is dead-on right: The laws governing the extraction of resources, many of which were written in the past century, have outlived their purpose. In the spirit of Manifest Destiny, they were meant to promote the settlement and development of the West, and they have succeeded gloriously.

In some sense, they have succeeded all too well and left a despoiled environment of overgrazed, clearcut, contaminated or eroded land. It is no longer necessary for the government—the taxpayer—to subsidize the West's exploitation. New principles and new policies must replace the old.

The framework of a new public policy can be found in a report, "Taking from the Taxpayer: Public Subsidies for Natural Resource Development," prepared for the House Com-

mittee on Natural Resources, chaired by Rep. George Miller of California.

Any revisions in law or policy must start from the recognition that public land belongs to the public. That may seem patently obvious, but much of current law and policy is oblivious to that fact. Policies regarding public land should benefit the public first and foremost. Currently, as Mr. Miller notes, that is far from the case; taxpayer handouts to private companies amount to "hundreds and millions, sometimes billions of dollars." At a time of fiscal crisis, such massive subsidies are irresponsible.

The first step in ending these government giveaways is to require profit-making companies to join the free market. Why should mining companies, particularly foreign-owned companies, be able to buy or "patent" public land for \$2.50 or \$5 an acre—and then owe the American taxpayer not a penny in royalties for minerals worth millions of dollars? Why should the government charge but a fraction of what private landowners charge for grazing fees, especially when the proceeds don't cover running the program?

Why should timber companies help decide the price they pay for the timber from public land? And, finally, why should the American taxpayer be responsible for paying for the environmental damage done by mining, grazing or logging?

Something like fair-market value should govern the pricing of fees, leases or royalties. At the very least, they should cover the government's cost in providing these resources. None of this means that all subsidies should be ended. Public policy goals may warrant the use of targeted subsidies.

What kind of goals? Republicans argue that charging market value would put small companies or ranches out of business. If preserving smaller enterprises is a worthy goal, and many would argue it is, means testing might be needed to ensure that those who need the subsidy get it. The public may also believe that companies or ranches deserve subsidies to encourage higher environmental standards.

The battle to win the West is over. Now, we must ensure that the battle to save the West is not lost.

CONGRATULATIONS GRADY HOLMES

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 1994

Mr. BARCIA of Michigan. Mr. Speaker, I want to pay tribute to the outstanding achievements of Mr. Grady Holmes, manager of the Buena Vista Charter Township in Saginaw, MI. In the spirit of international good will, Grady was recently selected by the International City/County Management Association to participate in the 1994 International Management Exchange Program.

Jointly sponsored by the New Zealand Society of Local Government Managers and International City Managers Association, this program introduces participants from different countries, communities, and backgrounds to the effective treatment of shared problems, including housing, economic development, unemployment, and race relations.

While in New Zealand, Grady was the guest of Mr. Darryl Griffin, district manager and chief

executive officer of the Bullar District Council. Like Grady, Mr. Griffin must ensure the council of quality and timely policy advice as well as a keen sense of leadership. The accomplishments of Mr. Griffin are, however, equally matched by the reputation of Grady Holmes.

Having worked with Grady for several years, it is easy to see why his selection comes as little surprise to any of us who know him. Grady is a consummate professional whose commitment to family, friends, and our community is second to none. It is with a great sense of pride that I recognize Grady as that entity chosen to represent our Saginaw community on the world's stage.

TRIBUTE TO THREE LEADERS OF THE INDIAN-AMERICAN COMMUNITY

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 1994

Mr. PALLONE. Mr. Speaker, I rise to pay tribute to three leaders of the Indian-American community who have been selected for the India Tribune Awards in a ceremony to be held in New York City on Saturday, September 24, 1994. India Tribune Night is attended by more than 600 prominent members of the Indian-American community from the tristate area of New York, New Jersey, and Connecticut.

The Mahatma Gandhi Award will be presented to Dr. Navin Mehta, a renowned ENT specialist and head and neck facial cosmetic surgery specialist. Dr. Mehta is a strong believer in the Gandhian philosophy.

The India Tribune Award for the Best Businessman of the Year will go to Mr. H.R. Shah, both for his highly successful business ventures and his support for community activities, religious events, and the annual India Day Parade.

The Woman of the Year Award will be given to Mrs. Sneha Mehtani, a successful entrepreneur and social activist, who is popularly known as the tigress of the hotel industry.

Mr. Speaker, it is a great honor for me to pay tribute to these three leaders in the Indian-American community. This growing, vibrant community is truly making its mark on the American economy, culture and society. It was in recognition of the contribution of this increasingly important community that I formed the Congressional Caucus on India and Indian-Americans. At the outset, in February 1993, we had eight founding members. Today, the Caucus has 41 members, from both parties and all regions of the Nation. Clearly, many of our colleagues recognize the importance of the Indian-American constituency and the importance of improving Indo-U.S. relations. The India Tribune, this year's three honorees and many of the other leaders of the Indian-American community, especially Mr. Satish Mehtani and Mr. Prakash Shah, deserve tremendous praise for its success in the time-honored American tradition of involvement in the economic and political life of our country.

TRIBUTE TO FINIS E. HENDERSON, JR.

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 1994

Mr. RUSH. Mr. Speaker, I rise today to honor the life and legacy of Finis E. Henderson, Jr. who passed from this life on Easter Sunday, April 3, 1994.

A Chicago native, Mr. Henderson was born September 21, 1919 to the union of Mary Lessie Clarke and Finis E. Henderson, Sr. A graduate of DuSable High School, he later attended Wilson Junior College. Mr. Henderson entered the U.S. Marine Corps in 1942, where he served his country admirably, rising to the rank of gunnery sergeant.

As a young man, Finis loved the entertainment industry. He worked as a professional promoter, manager, and dancer. Among his many clients were such entertainment giants as Sammy Davis, Jr., Redd Foxx, George Kirby, Brook Benton, Godfrey Cambridge, Jerry "Iceman" Butler, and the Dells. Mr. Henderson also served as the director of entertainment at the internationally renowned Mill Run Theatre.

Active in his community, Mr. Henderson was a member of the Sixth Grace Presbyterian Church and president of the Montfort Point Marine Corps Alumni Group. He also was employed with the Cook County Sheriff Department.

Finis was a devoted family man, he was married for nearly 44 years to the former Thelma S. Noble. To this union were born a daughter, Henneene B. Hyler, and son, Finis E. Henderson III.

Mr. Speaker, Finis E. Henderson, Jr. was a very dear friend and neighbor. I was touched by his intelligence, humor, and sensitivity to those he knew. He touched the lives of so many men and women who aspired to entertain. I am privileged that in my life our paths crossed. I am proud to have known Finis Henderson, Jr. and honored to enter these words into the RECORD.

SUPPORT OF WOMEN'S HEALTH CENTERS

HON. MARJORIE MARGOLIES-MEZVINSKY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 1994

Ms. MARGOLIES-MEZVINSKY. Mr. Speaker, I rise today to introduce the Women's Health Regional Centers Act. The intent of this legislation is to address one of the greatest challenges in medicine today: the neglected area of women's health. For centuries, as midwives, mothers, nurses, and doctors, women have been the primary caregivers in their communities. Yet despite the crucial role of women as health care providers, their own health has not received the attention it deserves. Traditionally, medicine and health research has not focused on the fact that women react differently from men to many diseases and treatments. Until recently, women

were excluded from most clinical trials of treatments for cancer, heart disease, and stroke, which are the leading causes of death in both women and men.

This legislation will assist in the delivery of state-of-the-art medical care to the women of the United States by ensuring that doctors are trained during medical school to diagnose and treat diseases prevalent among women and other medical conditions as they affect women. A major barrier to change in women's health care delivery systems has been the absence of an appropriate curriculum on women's health in teaching the physicians, nurses, and other health professionals of today and tomorrow. New models of providing clinical care are needed to give women comprehensive, accessible health care that takes into consideration their socioeconomic as well as medical needs. New information from medical research must be rapidly translated into educational programs and improved health care. New programs for identifying and fostering women leaders in the health profession need to be developed.

This legislation will address these critically important areas of women's health with an emphasis on providing leadership training for women in medical school. Currently, fewer than 2 percent of the deans of American medical schools are women. I believe that if women had been better represented in leadership positions in medicine, many of the traditional problems of inadequate research and insufficient clinical care for women would never have developed.

Our goal through our legislation is to ensure that future generations of American physicians receive their medical training from institutions led by a greater number of women deans and department chairs. This single provision will ensure that women's health concerns are addressed in the future.

As I reflect on the status of quality health care to women in the 1990's, I can point with pride to the Medical College of Pennsylvania [MCP] in my own district, which is the first and the longest surviving medical school devoted to the education of female physicians. Founded in 1850 as the "Female Medical College of Pennsylvania," MCP remains deeply committed to its roots as a pioneer in educating women in the medical profession and fostering critically needed education in those areas effecting women's health. MCP is the first medical school in the country to have undertaken women's health education at the undergraduate, graduate, and faculty levels.

The establishment of regional women's health centers is a significant step forward in correcting the imbalance that is inherent in every aspect of medical care today. I am pleased that this legislation will develop model demonstration programs which will focus on the coordination of research and the provision of education and training, and services in women's health.

Under my proposal, the Office of Research on Women's Health at the National Institutes of Health [NIH] will designate five institutions across the country as regional centers on women's health. By locating these centers in every major region of the United States, NIH will ensure that young doctors from all over the country will learn about the special health

needs of women and girls. In addition, these regional centers will share their information with both these centers and the NIH clearinghouse. My goal is to disseminate research and medical training as widely as possible so that women all over America can benefit from advances in medical care.

It is fitting today, as we continue the debate on health care reform, that I introduce legislation geared to unifying research, clinical care, and medical initiatives for women. It is essential that Congress recognizes and includes funding for the adequate health care services of women as well as improving programs on women's health in the teaching of health professionals. The legislation will help to promote basic research for diseases unique to women, as well as providing effective health care delivery systems for women.

In summary, Mr. Speaker, I appreciate the opportunity to highlight this critical issue.

EARLY DETECTION METHODS IN AIDS NEED TO BE IMPROVED

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 1994

Ms. VELÁZQUEZ. Mr. Speaker, as a Member of Congress from a State with one of the highest incidences of reported AIDS cases—nearly 52,000 in 1992—I see a definite need for improvement in our early detection methods. Many people are afraid to go to a clinic or doctor's office to be tested, either because they do not trust the doctor, or fear that if their test is positive, the information would be given to unauthorized persons. We can help remove that burden of fear through home access to HIV testing. As a strong advocate of education, prevention, and improved resources for treatment, I respectfully submit this editorial to the CONGRESSIONAL RECORD.

The following editorial appeared in *El Diario La Prensa* of New York City on July 21, 1994.

Last month, the New York State Department of Health took a great step forward in deciding to support new test options for the detection of AIDS. Specifically, it agreed to provide AIDS testing and counseling in the privacy of their home for the individuals who request it.

Unfortunately, the Federal Drug Administration [FDA] has yet not approved this plan, even after 7 years of consideration. On June 22, the FDA conducted yet another study on the plan and decided to create an advisory committee to consider if they should approve the initiative.

Acceso Directo al Diagnóstico [Direct Access to Diagnosis], a New Jersey-based group, is trying to get this initiative approved to facilitate commercialization of tests and counseling services that will allow people to obtain the results of their AIDS tests immediately, at a lower cost and in the privacy of their own homes.

At the June 22 FDA hearing, a group of medical experts, activists, politicians and AIDS patients, asked the Food and Drug Administration for the immediate approval of AIDS home testing. Some of the witnesses asserted that home testing will reduce costs. Most importantly and according to the majority of witnesses, most of the people that

are tested for AIDS, take the test too late. If the home testing is approved, the fear of discrimination and the loss of privacy would be eliminated. These are the main reasons for which the general public is not being tested for AIDS. Dr. Glenn Tynan, policy director for the AIDS Institute of New York, represented the State at the public hearings in Washington, DC, and voiced his support for the FDA to approve home testing.

This is an issue of vital importance for the Hispanic community. While the Nation may think that this is a homosexual problem, the truth of the matter is that AIDS is the principal cause of death for Hispanic women between 25 and 34 years old in New York and New Jersey. One of the Puerto Rican leaders commented in the hearing:

While politicians are talking about crime and violence in our streets, AIDS is underhandedly stealing a generation of Puerto Rican women and children.

Each day we lose at least a dozen people in the Hispanic community. Since there is no cure for the disease, the home testing is one of our most effective weapons.

It seems like a simple decision.

I ask Doctor David Kessler, Commissioner of the FDA, to approve home testing for the detection of the AIDS virus without further delay. In the Hispanic communities throughout the Nation, this is a matter of life or death.

FEDERAL NUCLEAR WASTE RESPONSIBILITY ACT OF 1994

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 1994

Mr. UPTON. Mr. Speaker, the congressional district I represent runs along Lake Michigan's Sunset Coast in western Michigan. It is an area of uncommon beauty, made up of farms and small towns nestled among rolling hills.

This is a prosperous area, for the most part, and much of its prosperity is based upon the availability of energy for heating during our cold winters, cooling during our warm summers and for powering our farms, factories and homes. A large fraction of this energy is provided by nuclear power. There are two nuclear powerplants in my district, several more elsewhere in Michigan. The Palisades plant is operated by Consumers Power while the D.C. Cook plant is operated by American Electric Power.

On the whole, these plants operate reliably and safely. If I didn't think so, the people I love most in this world wouldn't be living near them. No member of the general public has ever been injured by a nuclear powerplant.

The greatest problem facing nuclear power is the high-level radioactive waste produced at every powerplant. This didn't come as a surprise long after nuclear power was developed. Waste was seen as a problem from the earliest days of the nuclear era, when President Roosevelt established the Manhattan project to develop the atomic bombs that ended World War II.

It soon became evident to people of vision that the peaceful use of nuclear power offered great promise. The Biblical allusion to "beating

swords into plowshares" was used often and, in his first term, President Eisenhower launched an Atoms for Peace Program to advance development of the peaceful uses of nuclear energy.

The enormous potential that nuclear power offered in the production of electricity was recognized early and first harnessed in Adm. Hyman Rickover's famous submarines. The heat from fissionable nuclear materials was used to boil water; the resulting steam was used to turn turbines to make electricity. There have been refinements, but this fundamental technology is used throughout America and the world to make electricity today. Fully one-fifth of America's electricity is produced by nuclear powerplants.

Hundreds of tons of high-level wastes are created over a reactor's lifetime. Most of these wastes are spent fuel, the residue of electrical production. These wastes are dangerous and must be isolated. Thousands of tons of such waste are piling up at powerplants throughout the Nation. At most such locations, the waste is stored in pools of water. At a small but growing number of sites, it is stored outdoors in so-called dry cask storage.

It is accumulating in these pools and dry casks because there is no other place to put it. Despite years of promises, the Federal Government has yet to live up to its commitments to provide a final resting place for nuclear waste.

In the Nuclear Waste Policy Act of 1982 and its 1987 amendments, Congress directed the Department of Energy to have such a facility available by January 31, 1998. We authorized a special tax electricity to support this facility and about \$9 billion has been raised through this tax. Every dime of this money came from electricity consumers.

Strange though it may seem, Mr. Speaker, the Department of Energy has made little progress in developing a waste facility beyond a half-hearted drilling program in Nevada. The Department has admitted that it probably won't be able to accept waste before the year 2010, if not later. Federal officials have no current plans to accept post-reactor waste by 1998 and recently suggested that they had no real obligation to do so.

This is unacceptable to the dozens of communities and thousands of people living in the vicinity of nuclear power plants. While most perceive no immediate threat to public health from either pool or dry cask storage, they would prefer that the waste be stored somewhere else. I share this view and this is why I have introduced the Federal Nuclear Waste Responsibility Act of 1994, H.R. 5057.

Before explaining my bill, however, I want to emphasize that the lack of progress by the Federal Government can be laid on the doorstep of both political parties and many Presidential administrations. The current leadership didn't create this problem, but I hope they will help us to solve it.

My bill makes clear that the Federal Government is obligated to take title to these wastes and to begin taking possession of such wastes by the originally agreed upon date: January 31, 1998. If a permanent repository does not exist by then, and there's little chance it will, the Secretary is directed to establish a program for the interim storage of the

wastes on Federal property. Lastly, my bill stipulates that no new power plants be licensed until the Secretary of Energy certifies that there is a facility licensed by the Federal Government to handle the wastes such a facility could be expected to generate.

These are the final days of the 103d Congress, Mr. Speaker, and even a lifelong Chicago Cubs fan like me cannot expect this legislation to be enacted before we adjourn next month. I decided to go ahead and offer this bill, however, as a means of generating and focusing debate on this critical issue. I invite all interested parties to contact me if they have proposals for making this legislation better. Through this process, I hope to introduce an even better bill early in the next Congress.

H.R. 5057

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Nuclear Waste Responsibility Act of 1994".

SEC. 2. CONGRESSIONAL FINDINGS.

The Congress finds the following:

(1) The transportation, storage, and disposal of high-level radioactive waste and spent nuclear fuel is a matter of national urgency that is the responsibility of this generation.

(2) The utility generators and owners of high-level radioactive waste and spent nuclear fuel, together with their customers, have met their obligations under the Nuclear Waste Policy Act of 1982 to provide for the cost of siting, licensing, construction, and operation of a Federal waste management system for the transportation, storage, and disposal of high-level radioactive waste and spent nuclear fuel.

(3) Some utilities have now exhausted their spent nuclear fuel pool storage capacity, a total of 26 nuclear power reactors will reach their spent nuclear fuel pool storage capacity by the end of 1998, and approximately 80 nuclear power reactors will be without spent nuclear fuel pool storage capacity by 2010. As a result, utility rate payers face significant costs associated with expanding storage capacity at reactor sites, and continued delay is unacceptable.

(4) Federal efforts to site, license, construct, and operate disposal facilities in accordance with the provisions of the Nuclear Waste Policy Act of 1982 have not met the timetables contemplated by such Act.

(5) The Secretary of Energy has an obligation to take title to and possession of high-level radioactive waste and spent nuclear fuel beginning not later than January 31, 1998.

(6) Notwithstanding the passage of 12 years since enactment of the Nuclear Waste Policy Act of 1982, the payment of more than \$8,400,000,000 into the Nuclear Waste Fund during such period, and the additional programmatic direction provided by the Congress in the 1987 amendments to such Act, the projected date of commencement of operations at a repository is, under the most optimistic of assumptions, 2010.

(7) Until a repository is operational, interim storage will continue to be required for high-level radioactive waste and spent nuclear fuel.

SEC. 3. FEDERAL OBLIGATIONS REGARDING HIGH-LEVEL RADIOACTIVE WASTE AND SPENT NUCLEAR FUEL.

Section 302(a) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(a)) is amended by

adding at the end the following new paragraph:

"(7)(A) Notwithstanding any other provision of this Act or other law, the terms of the contracts entered into pursuant to this section, or the commencement of operations of a repository, the Secretary shall, by not later than January 31, 1998—

"(i) take title to the high-level radioactive waste and spent nuclear fuel covered by such contracts;

"(ii) begin taking possession of such waste and spent fuel in accordance with the Federal Integrated Spent Nuclear Fuel Management Program established in section 162; and

"(iii) establish an interim spent nuclear fuel storage facility at 1 or more Federal sites.

"(B) The Secretary shall provide not less than 30 days advance notification to the Congress of any inability of the Secretary to meet any deadline specified in subparagraph (A)."

SEC. 4. PERMIT AND LICENSING REQUIREMENTS.

Section 185 of the Atomic Energy Act of 1954 (42 U.S.C. 2235) is amended by adding at the end the following new subsection:

"c. (1) Notwithstanding any other law, no construction permit or combined construction and operating license may be issued for a utilization facility used for the generation of electricity for commercial sale until—

"(A) there is a facility licensed by the Federal Government for the interim storage or permanent disposal of high-level radioactive waste and spent nuclear fuel generated by the utilization facility; and

"(B) the Secretary of Energy certifies that the storage or disposal facility has, or is reasonably expected to have, an adequate volume of capacity to accept all of the high-level radioactive waste and spent nuclear fuel that will be generated by the utilization facility during the reasonably foreseeable operational lifetime of the utilization facility.

"(2) Paragraph (1) shall not apply to any construction permit or combined construction and operating license for which an application is filed before the date of the enactment of this subsection."

BEST OF AMERICA AWARDS WON BY THE DELSTAR GROUP OF PHOENIX

HON. JON KYL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 1994

Mr. KYL. Mr. Speaker, I am proud to announce that the Delstar Group of Phoenix, a women-owned and operated enterprise of specialty shops throughout the United States, has been named the national winner of the Best of America Awards, sponsored by the National Federation of Independent Business [NFIB] and Dun & Bradstreet.

The Delstar Group is a 22-year-old company that owns and operates 18 retail specialty shops in airports and resorts throughout the United States. Pam Del Duca, Delstar's founder, CEO and president, started the business as a one-person gift and accessory store using money saved working as a school teacher by day and waitress at night. Today, the company employs 157 people, 47 percent of whom are minorities and 67 percent women. In addition, Delstar has forged part-

nerships with three community-based organizations: The Phoenix Urban League, Chicanos Por La Causa and the Phoenix Indian Center. These partner organizations recruit potential job candidates for Delstar organizations and receive a percentage of the stores' gross sales.

Former President Bush once said, "Americans will do great things, if you only set them free." So will small business, if we free them from the excess burdens of taxation, regulation and litigation. Small businesses employ 60 percent of the private workforce, contribute 44 percent of all sales in the United States and are responsible for 38 percent of gross national product. The fastest growing segment of the small business market is women-owned small business.

I am very proud of the fact that a women-owned small business headquartered in Phoenix has earned recognition as the best small business in America. The Delstar Group is a shining example of the positive relationship a business and community can have. Under the leadership of Pam Del Duca, as the Delstar Group has prospered, it has spent time and money investing in the community and reaching out to minorities and generally being a good neighbor. I applaud her efforts and wish her continued success.

Dun & Bradstreet and the NFIB Education Foundation created the Best of America Awards in 1993 to recognize excellence in small business, especially in the areas of growth, innovation, and community service. This year, the awards program attracted more than 5,000 calls for nominations and accepted approximately 500 applications, representing every State in the Nation, as well as Puerto Rico.

AMENDING STEWART B. MCKINNEY HOMELESS ACT

HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 1994

Ms. HARMAN. Mr. Speaker, I am introducing legislation today to provide for greater community involvement under the Stewart B. McKinney Homeless Act.

More specifically, my bill seeks to amend the McKinney Act to ensure that local residents are fully notified and engaged in the process of meeting the needs of a community's homeless population. Equally important, it requires the Department of Health and Human Services to monitor whether approved providers maintain the necessary financial resources to deliver the services they have promised to offer.

Mr. Speaker, before proceeding further let me note that this legislation is based on the recommendations of the California Military Base Task Force appointed by Gov. Pete Wilson and the San Pedro Area Reuse Committee, a volunteer task force consisting of 36 residents in the San Pedro community. I want to acknowledge both of these groups for their tireless efforts to identify solutions to some very troubling issues that have arisen at the Navy's surplus housing site on Taper Avenue and at military sites throughout the Nation.

This legislation, I should note, has been endorsed by Los Angeles Mayor Richard Riordan as well as Governor Wilson.

On July 22, the House of Representatives passed legislation that makes a community's redevelopment authority the driving force in developing an operation plan for surplus housing at a military facility. I was proud to support that legislation, and I hope the Senate will move quickly on its housing reauthorization bill and adopt similar language.

The House language provides for the Department of Defense to complete a Federal screening process of properties. DOD then notifies the local redevelopment authority of the remaining properties and publishes that list in the Federal Register. The local redevelopment authority has 1 year to develop a reuse plan that must address the needs of the homeless in that community. At this point, the redevelopment authority submits its plan to DOD and the Department of Housing and Urban Development. DOD uses this plan as the preferred alternative for disposal of property unless HUD—within 30 days—determines that the plan does not meet the needs of the homeless. If HUD deems the plan unsuitable for the homeless, it must provide a written explanation to both DOD and the local reuse authority. In this case, the local reuse committee is granted an additional 6 months to address HUD's concerns. If the final plan is again found inadequate, HUD begins screening the properties under the McKinney Act guidelines.

Mr. Speaker, my legislation builds on this process in two ways. First, it improves the process by which communities are notified that military housing has been listed in the Federal Register. Residents in my district learned that an 18-acre Navy housing parcel in San Pedro had been listed as surplus only after HHS had approved an application to take over the site.

Under my bill, such a scenario would not be repeated. My bill provides that HUD notify local, State, and congressional representatives by registered mail that a property in their area has been listed in the Federal Register. Notice also must be printed in those newspapers that maintain a sizable readership in the vicinity of a surplus housing facility.

My legislation also ensures that important safeguards occur in the event that HUD determines that military surplus housing is required to meet the needs of a community's homeless population.

Under current law, once the McKinney law takes effect, HHS is under no obligation to certify that an approved provider maintains the necessary financial resources to implement its homeless housing program. This lack of regulatory oversight is a serious problem and one that can result in an unqualified and under-financed provider being awarded a surplus housing contract.

Mr. Speaker, my legislation addresses this problem by insisting that applications for a facility include the following information:

Evidence that use of the building or property is intended to meet the needs of the homeless in the region in which the installation is located;

A description of the homeless in the region who might reasonably be expected to use the building or property;

Certification that the building or property requested is the minimum necessary to meet the needs of the homeless in the region;

A description of the types and cost of any building upgrades that are necessary to use the building or property as proposed and the source of funding for such upgrades; and

A demonstration of the financial capability of the applicant to carry out its proposal through proof of adequate resource availability and evidence of previous successful experience with comparable programs.

Finally, my legislation insists that if competing applications are received for the same building or property located at the military installation to be closed, the Secretary of Health and Human Services shall approve the application that proposes the longer term use of the building or property. This provision, I believe, will promote more adequate investment and facility renovation.

Mr. Speaker, I believe my legislation builds on the process that the House of Representatives has begun of ensuring greater community involvement with the McKinney process. It does not lose sight of the central goal of the McKinney process: addressing the plight of America's homeless. But it insists that this end is best achieved by gaining community consensus and ensuring that the groups charged with homeless care are able to meet their responsibilities.

WALTER FAUNTROY, FORMER CHAIR OF THE CONGRESSIONAL TASK FORCE ON HAITI, PRAISES PRESIDENT CLINTON FOR HIS LEADERSHIP ON HAITI, URGES SUPPORT FOR THE AGREEMENT FASHIONED BY CARTER, POWELL, AND NUNN

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 1994

Mr. JACOBS. Mr. Speaker, Walter Fauntroy is one of the finest people who ever served in this House. Here is an example of why.

The Honorable Walter E. Fauntroy, chairman of a bipartisan task force on Haiti for 15 of the 20 years that he served in the United States House of Representatives, today praised President Clinton for the leadership which he gave in the "eleventh hour" to save thousands of lives, and to make democracy and a lasting peace in Haiti possible. Mr. Fauntroy released the contents of a letter he has written to President Clinton both commending him and outlining his views as to "where we go from here."

In a statement released today, the former member of the Congressional Black Caucus and present chairman of the board of directors of the Southern Christian Leadership Conference said:

The Carter Team, in my judgement, has established the framework for not only restoring President Jean-Bertrand Aristide and democratic government to Haiti but also providing the necessary economic recovery assistance that Haiti will need from the international community to place it on the path to economic stability. What is required

of us with soon to be 15,000 troops on the ground there, and what is required of Haitians who are serious about bringing about an enduring democracy with justice for all, is one thing: discipline. U.S. leadership must be disciplined to do two things: (1) Support and protect those Haitians who are committed to abiding by the Haitian Constitution while punishing those who by their actions demonstrate that they are not; and (2) Implement an "intelligence gathering" operation by which to determine and arrest those who, by their actions, indicate that they are not committed to democracy as defined in the Haitian Constitution.

Haitian nationals who say they support constitutional democracy must be disciplined to do as President Aristide has suggested: seek reconciliation, not revenge within the frame work of that Constitution. A lot of people on all sides of the dispute in Haiti say they are for constitutional democracy in Haiti; the Carter, Powell, Nunn Agreement gives them an opportunity to do it!

POSITIVE FEATURES OF THE AGREEMENT

The agreement has the following positive features:

(1) Lt. General Cedras, Brigadier General Blamby, and Lt. Colonel Francois will leave power on October 15, 1994.

(2) President Aristide will exercise his constitutional authority to appoint their successors who will have the power to implement the long-desired separation of the functions of the military and the Police, reforming both institutions and retraining those who are willing to submit to the new disciplines.

(3) With 15,000 troops on the ground and adequate intelligence capacity, the U.S. will have the raw, naked power to identify, arrest and remove any police officer, any army officer or enlisted man who violates the constitutionally mandated directives of the commanders appointed by President Aristide. And that includes Lt. General Cedras, Brigadier General Blamby, Lt. Colonel Francois, and any other private citizen found to be acting to undermine the constitutional authority of the Aristide Government. It also includes any supporters of President Aristide who violate the constitutional rights of others in defiance of his exhortation to reconciliation, not revenge.

(4) Millions of Haiti's poor will get speedy humanitarian food and medical relief from the suffering inflicted by the embargo, and we will thus buy the time necessary to place the country firmly back on the road to democracy and the economic stability without which no democracy can survive.

(5) International donor nations and the world's multinational development institutions will have the opportunity to put up or shut up in terms of their commitment to create in Haiti the stable development, trade, and investment environment without which democracy simply cannot flourish. Both I and others have suggested to President Clinton and the international community the level of economic assistance to Haiti that is required in the short term to allow the agreement fashioned by President Carter, General Powell, and Senator Nunn a chance to succeed.

(6) The major benefit to American families is that we got 15,000 of our troops on the ground and in position to support the restoration of democracy without the loss of a single life. If that is to continue, the two disciplines that I have identified for both our leadership and that of President Aristide must be exercised.

It should be noted that a test of the commitment to constitutional government in Haiti for all sides, will be their willingness to abide by Article 41 of the Haitian Constitution, crafted in 1987 by true Haitian patriots upon the departure of Jean Claude Duvalier. For very practical and historical reasons, Article 41 dealing with the Right to Security states in clear and unequivocal terms:

"No person of Haitian nationality may be deported or forced to leave the national territory for any reason. No one may be deprived for political reasons of his legal capacity and his nationality."

In other words, those with contrary views will not be told "love what we do to you or leave." Minority views will be tolerated so long as those who hold them act in a constitutional manner. With that formula, not only were President Carter, General Powell, and Senator Nunn right in allowing the three commanders the option of remaining in Haiti, but we also have the context now for testing and judging everyone's commitment to constitutional government—including both these commanders and pro-Aristide supporters.

Finally, we in the United States must lead by example. We must have the leadership, discipline, and guts to stand by the accord negotiated by President Carter, General Powell, and Senator Nunn and endorsed to the American people by President Clinton. The accord called for lifting without delay the economic embargo that has devastated Haiti, especially the poor. I am concerned by statements by key administration officials that would revise, and therefore, violate the accord reached by President Clinton's negotiating team.

INTRODUCTION OF CENTENNIAL OF FLIGHT COMMEMORATION ACT

HON. TONY P. HALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 1994

Mr. HALL of Ohio. Mr. Speaker, the conquest of flight was one of history's greatest triumphs of technology. The first flight by Wilbur and Orville Wright on December 17, 1903, was the fulfillment of man's ages-old dream to fly. Since that time, the world has never been the same. As much as any other invention in the industrial era, the airplane has changed the course of transportation, commerce, communication, and warfare.

Aviation represents a significant segment of the U.S. economy. According to a study conducted by Wilbur Smith Associates, civil aviation contributed \$692.9 billion to the economy in 1991. This sector generated 8.4 million jobs with an annual payroll of \$206.6 billion. In addition, aerospace-related spending by the Department of Defense and the National Aeronautics and Space Administration is more than \$1 billion annually.

Few inventions have directly touched the lives of Americans as has the airplane. An estimated 77 percent of all Americans have flown on an airplane at least once.

The year 2003 will mark the 100th anniversary of the first flight. It will be a time to mark that historic event and reflect on how aerospace technology has affected our lives. Our Nation can celebrate what the Wright brothers'

achievement represents: American ingenuity, inventiveness, and diligence in developing new technologies. It will also be a time to draw inspiration from the Wright brothers and to renew their values of creativity and daring which are so critical to the future of the Nation.

Because of the significance of aerospace to our economy and way of life, the centennial of the first flight will be celebrated with widespread interest and fanfare. National and international celebrations could be planned by a wide range of aerospace-related organizations, companies, governmental bodies, and educational institutions.

Today, I join my colleague, MARTIN LANCHESTER, and a majority of the members of the Ohio and North Carolina congressional delegations in introducing legislation creating the Centennial of Flight Commission to help plan and coordinate the national celebration of the centennial of the first flight. The legislation is similar to laws enacted to help plan major commemorative celebrations connected with other milestones in our Nation's history.

Ohio and North Carolina have a special stake in ensuring a successful national celebration of the Wright brothers' achievement. It was in Ohio that the Wright brothers grew up and constructed the airplane and it was in North Carolina that the first flight occurred.

The Centennial of Flight Commission would be charged with planning, developing, and coordinating programs and activities commemorating the 100th anniversary of the first flight. It would also help coordinate the U.S. participation in international centennial celebrations. The commission would be composed of 25 members, including experts, Federal officials, and private citizens. It would terminate in 2004, the year after the celebration.

In 2003 and the years leading up to it, our Nation will have the opportunity to celebrate one of our great achievements. It will be a time to reaffirm our faith in the Nation's ability to solve nearly impossible problems and fulfill dreams of mankind. The Centennial of Flight Commission is intended to make the best of that celebration.

The text of the legislation follows:

H.R. —

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Centennial of Flight Commemoration Act".

SEC. 2. CONGRESSIONAL FINDINGS.

The Congress finds that—

(1) December 17, 2003, is the 100th anniversary of the 1st successful manned, controlled, heavier-than-air, powered flight;

(2) The First Flight by Orville and Wilbur Wright represents the fulfillment of the age-old dream of flying;

(3) the airplane has dramatically changed the course of transportation, commerce, communication, and warfare throughout the world;

(4) the achievement by the Wright brothers was a triumph of American ingenuity, inventiveness, and diligence in developing new technologies, and remains an inspiration for all Americans;

(5) it is appropriate to remember and renew the legacy of the Wright brothers at a time when the values of creativity and daring rep-

resented by the Wright brothers are critical to the future of the Nation; and

(6) as the Nation approaches the 100th anniversary of the First Flight, it is appropriate to celebrate and commemorate the anniversary through local, national, and international observances and activities.

SEC. 3. ESTABLISHMENT.

There is established a commission to be known as the Centennial of Flight Commission.

SEC. 4. MEMBERSHIP.

(a) NUMBER AND APPOINTMENT.—

(1) IN GENERAL.—The Commission shall be composed of 25 members, as follows:

(A) The Librarian of Congress, or a designee.

(B) The Archivist of the United States, or a designee.

(C) The Secretary of the Interior, or a designee.

(D) The Director of the National Air and Space Museum, or a designee.

(E) The Secretary of Education, or a designee.

(F) The Secretary of Defense, or a designee.

(G) The Secretary of Transportation, or a designee.

(H) The Governor of the State of North Carolina, or a designee.

(I) The Governor of the State of Ohio, or a designee.

(J) The Executive Director of the 2003 Committee, or a designee.

(K) The President of the First Flight Society, or a designee.

(L) The Mayor of Kill Devil Hills, North Carolina.

(M) The Mayor of Dayton, Ohio.

(N) 12 citizens of the United States, appointed by the President, who are not officers or employees of any government, except to the extent that they are considered to be such officers or employees by virtue of their membership on the Commission.

(2) APPOINTMENTS BY PRESIDENT.—Of the individuals referred to in paragraph (1)(N)—

(1) 2 shall be chosen from among persons recommended by the majority leader of the Senate in consultation with the minority leader of the Senate;

(2) 2 shall be chosen from among persons recommended by the Speaker of the House of Representatives in consultation with the minority leader of the House of Representatives; and

(3) 8 shall be chosen based on qualifications or experience in the field of history, aerospace science or industry, or any other profession that would enhance the work of the Commission and assist in commemorating the accomplishments of the Wright brothers.

(b) TIME OF APPOINTMENT.—Each member of the Commission shall be appointed not later than 90 days after the date of the enactment of this Act.

(c) TERMS.—Each member of the Commission shall be appointed for the life of the Commission.

(d) VACANCIES.—Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

(e) COMPENSATION.—

(1) PROHIBITION OF PAY.—Except as provided in paragraph (2), members of the Commission shall serve without pay.

(2) TRAVEL EXPENSES.—Each member of the Commission may receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(f) QUORUM.—13 members of the Commission shall constitute a quorum.

(g) CHAIRPERSON.—The President shall designate 1 of the individuals appointed under subsection (a)(1)(N) as the chairperson of the Commission.

(h) MEETINGS.—The Commission shall meet at the call of its chairperson or a majority of its members.

SEC. 5. DUTIES.

(a) IN GENERAL.—The Commission shall—

(1) plan and develop, in coordination with the First Flight Society, the 2003 Committee, the First Flight Centennial Commission of North Carolina, and the Ohio Wright-Dunbar State Heritage Commission, programs and activities that are appropriate to commemorate the 100th anniversary of the First Flight;

(2) maintain a calendar or register of programs and projects concerning, and provide a central clearinghouse for information and coordination regarding, dates, events, places, documents, artifacts, and personalities of historical and commemorative significance regarding aviation history in general and the First Flight in particular;

(3) coordinate activities with other countries regarding aviation history in general and the First Flight in particular, and promote participation by the United States in such activities;

(4) encourage participation in commemoration of the First Flight by persons and entities including—

(A) aerospace manufacturing companies;

(B) aerospace-related military organizations;

(C) workers employed in aerospace-related industries;

(D) commercial aviation companies;

(E) general aviation owners and pilots;

(F) aerospace researchers, instructors, and enthusiasts;

(G) elementary, secondary, and higher educational institutions;

(H) civil, patriotic, educational, sporting, arts, cultural, and historical organizations and technical societies;

(I) aerospace-related museums; and

(J) State and local governments;

(5) assist in conducting educational, civic, and commemorative activities relating to the First Flight throughout the United States, especially activities that occur in the States of North Carolina and Ohio and that highlight the activities of the Wright brothers in such States; and

(6) develop and coordinate any other activities that the Commission determines to be appropriate relating to the anniversary of the First Flight, which may include the preparation, distribution, dissemination, exhibition, or sale of historical, commemorative, or informative materials or objects, produced by the Commission, that will contribute to public awareness of and interest in the centennial of the First Flight.

(b) NONDUPLICATION OF ACTIVITIES.—The Commission shall attempt to plan and conduct its activities in such a manner that activities conducted pursuant to this Act enhance, but do not duplicate, traditional and established activities of the 2003 Committee, the First Flight Society, the First Flight Centennial Commission of North Carolina, and the Ohio Wright-Dunbar State Heritage Commission.

SEC. 6. POWERS.

(a) ADVISORY COMMITTEES.—

(1) IN GENERAL.—The Commission may appoint any advisory committee that it determines to be necessary to carry out this Act.

(2) PROHIBITION OF PAY OTHER THAN TRAVEL EXPENSES.—Members of an advisory committee authorized by paragraph (1) may receive

pay and travel expenses to the same extent that members of the Commission may receive pay and travel expenses under section (4)(e).

(b) **POWERS OF MEMBERS AND AGENTS.**—Any member or agent of the Commission may, if authorized by the Commission, take any action that the Commission is authorized to take under this Act.

(c) **AUTHORITY TO PROCURE AND TO MAKE LEGAL AGREEMENTS.**—

(1) **IN GENERAL.**—The Commission may procure supplies, services, and property, and make or enter into leases and other legal agreements, in order to carry out this Act.

(2) **RESTRICTION.**—A contract, lease, or other legal agreement made or entered into by the Commission may not extend beyond the date of the termination of the Commission.

(3) **SUPPLIES AND PROPERTY POSSESSED BY COMMISSION AT TERMINATION.**—Any supplies and property, except historically significant items, that are acquired by the Commission under this Act and remain in the possession of the Commission on the date of the termination of the Commission shall become the property of the General Services Administration upon the date of the termination.

(d) **REQUESTS FOR OFFICIAL INFORMATION.**—The Commission may request from any Federal department or agency information necessary to enable the Commission to carry out this Act. The head of the Federal department or agency shall furnish the information to the Commission unless the release of the information by the department or agency to the public is prohibited by law.

(e) **MAILS.**—The Commission may use the United States mails in the same manner and under the same conditions as any other Federal agency.

SEC. 7. STAFF AND SUPPORT SERVICES.

(a) **EXECUTIVE DIRECTOR.**—The chairperson of the Commission, with the advice of the Commission, shall appoint an executive director of the Commission. The executive director may be paid at a rate not to exceed the maximum rate of basic pay payable for the Senior Executive Service.

(b) **STAFF.**—The Commission may appoint and fix the pay of any additional personnel that it considers appropriate, except that an individual appointed under this subsection may not receive pay in excess of the maximum rate of basic pay payable for GS-14 of the General Schedule.

(c) **INAPPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.**—The executive director and staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates, except as provided in subsections (a) and (b) of this section.

(d) **STAFF OF FEDERAL AGENCIES.**—Upon request by the chairperson of the Commission, the head of any Federal department or agency may detail, on a nonreimbursable basis, any of the personnel of the department or agency to the Commission to assist the Commission to carry out its duties under this Act.

(e) **EXPERTS AND CONSULTANTS.**—The chairperson of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at a rate that does not exceed the daily equivalent of the annual rate of basic pay payable under Level V of the Executive Schedule under section 5316 of such title.

(f) **ADMINISTRATIVE SUPPORT SERVICES.**—The Administrator of General Services shall provide to the Commission, on a reimbursable basis, any administrative support services that are necessary to enable the Commission to carry out this Act.

SEC. 8. CONTRIBUTIONS.

(a) **DONATIONS.**—

(1) **IN GENERAL.**—The Commission may accept donations of money, personal services, and real or personal property, including books, manuscripts, memorabilia, relics, objects, and other materials that are related to the Wright brothers or the history of aviation.

(2) **DONATED FUNDS.**—Any funds donated to the Commission may be used by the Commission to carry out this Act. Funds donated to and accepted by the Commission pursuant to this section shall not be considered to be appropriated funds and shall not be subject to any requirements or restrictions applicable to appropriated funds.

(b) **VOLUNTEER SERVICES.**—Notwithstanding section 1342 of title 31, United States Code, the Commission may accept and use voluntary and uncompensated services as the Commission determines necessary.

(c) **REMAINING FUNDS.**—Any donated funds remaining to the Commission on the date of the termination of the Commission may be used to ensure the proper disposition, as specified in the final report required by section 10(b), of historically significant property donated to or acquired by the Commission. Any such donated funds remaining after such disposition shall be transferred to the Secretary of the Treasury for deposit into the general fund of the Treasury of the United States.

SEC. 9. EXCLUSIVE RIGHT TO NAME, LOGOS, EMBLEMS, SEALS, AND MARKS.

(a) **IN GENERAL.**—The Commission may devise any logo, emblem, seal, or descriptive or designating mark that is required to carry out its duties or that it determines is appropriate for use in connection with the commemoration of the First Flight. The Commission shall have the sole and exclusive right to use, or to allow or refuse the use of, the name "Centennial of Flight Commission" or any logo, emblem, seal, or descriptive or designating mark that the Commission lawfully adopts.

(b) **EFFECT ON OTHER RIGHTS.**—No provision of this section may be construed to conflict or interfere with established or vested rights.

SEC. 10. REPORTS.

(a) **ANNUAL REPORT.**—In each fiscal year in which the Commission is in existence, the Commission shall prepare and submit to the Congress a report describing the activities of the Commission during the fiscal year. Each annual report shall also include—

(1) recommendations regarding appropriate activities to commemorate the centennial of the First Flight, including—

(A) the production, publication, and distribution of books, pamphlets, films, and other educational materials;

(B) bibliographical and documentary projects and publications;

(C) conferences, convocations, lectures, seminars, and other similar programs;

(D) the development of exhibits for libraries, museums, and other appropriate institutions;

(E) ceremonies and celebrations commemorating specific events that relate to the history of aviation;

(F) programs focusing on the history of aviation and its benefits to the United States and humankind; and

(G) competitions, commissions, and awards regarding historical, scholarly, artistic, literary, musical, and other works, programs, and projects related to the centennial of the First Flight;

(2) recommendations to appropriate agencies or advisory bodies regarding the issuance of commemorative coins, medals, and stamps by the United States relating to aviation or the First Flight;

(3) recommendations for any legislation or administrative action that the Commission determines to be appropriate regarding the commemoration of the First Flight; and

(4) an accounting of funds received and expended by the Commission in the fiscal year that the report concerns, including a detailed description of the source and amount of any funds donated to the Commission in the fiscal year.

(b) **FINAL REPORT.**—Not later than June 30, 2004, the Commission shall submit to the President and the Congress a final report. The final report shall contain—

(1) a summary of the activities of the Commission;

(2) a final accounting of funds received and expended by the Commission;

(3) any findings and conclusions of the Commission; and

(4) specific recommendations concerning the final disposition of any historically significant items acquired by the Commission, including items donated to the Commission under section 8(a)(1).

SEC. 11. AUDIT OF FINANCIAL TRANSACTIONS.

(a) **IN GENERAL.**—The Inspector General of the General Services Administration shall audit the financial transactions of the Commission, including financial transactions involving donated funds, in accordance with generally accepted auditing standards. In conducting an audit pursuant to this section, the Inspector General shall have access to all books, accounts, financial records, reports, files, and other papers, items, or property in use by the Commission, as necessary to facilitate the audit, and shall be afforded full facilities for verifying the financial transactions of the Commission, including access to any financial records or securities held for the Commission by depositories, fiscal agents, or custodians.

(b) **REPORT.**—Not later than September 31, 2004, the Inspector General of the General Services Administration shall submit to the President and to the Congress a report detailing the results of any audit of the financial transactions of the Commission conducted by the Inspector General.

SEC. 12. DEFINITIONS.

For purposes of this Act:

(1) The term "Commission" means the Centennial of Flight Commission.

(2) The term "First Flight" means the 1st successful manned, controlled, heavier-than-air, powered flight, which was accomplished by Orville and Wilbur Wright on December 17, 1903.

SEC. 13. TERMINATION.

The Commission shall terminate not later than 60 days after the submission of the final report required by section 10(b).

SEC. 14. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out this Act \$500,000 for each of the fiscal years 1995 through 2004.

HUD AND THE FIRST AMENDMENT

HON. JAMES A. LEACH

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 22, 1994

Mr. LEACH. Mr. Speaker, from time to time a governmental policy is promoted which is well-intended but which is so constitutionally unseemly as to demand reconsideration. Such has classically become the case when the Department of Housing and Urban Development implemented a policy to investigate individual and group efforts to organize and petition their local governments in hopes of halting decisions or developments supported by HUD that citizens believed may have an adverse impact on their neighborhood and community. In one case, HUD threatened members of a community group with \$100,000 fines and a year in jail unless they turned over everything they have ever written about a proposed project including files, minutes of meetings, and membership lists.

James Madison's thoughts are as appropriate and important today as they were during his time when he stated: "The censorial power is in the people over the Government, and not in the Government over the people."

Because of concerns that HUD overstepped a critical constitutional line by interfering with citizens rights to protest developments that occur in their neighborhoods, I sent a letter to HUD Secretary Henry Cisneros on August 17, 1994, questioning the Department's rationale and the legality of HUD's action.

Given expressed media and congressional skepticism regarding this HUD practice, I felt confident that the Department would recognize the need for corrective action to ensure that proper protection of first amendment rights will be maintained. In fact, HUD dropped the complaint in question and issued "guidelines" designed to protect individuals from certain constitutional infringements.

Unfortunately, HUD's loophole-laden efforts do not go far enough in ensuring adequate protection of citizen rights under the first amendment. The new guidelines suggest that HUD will in some instances continue to investigate individuals or groups who take their protests to court or participate in activities before public agencies. And, in an ironic twist, HUD's guidelines suggest the possibility that HUD could hold a local government liable for citizen protest. As one protester commented: "We can now speak, but the city can't listen to us."

Accordingly, I am today introducing a concurrent resolution making clear that no agency of the Government, such as HUD, has the right or power to compromise, suppress, or interfere with the exercise of first amendment rights to freedom of speech, association, and redress of grievances.

Although I realize that there may not be enough time for Congress to consider this concurrent resolution during this session, I would expect the issue to be revisited early in the next Congress if HUD does not appropriately respond.

The oath of office all public officials take is to defend the Constitution, not zealously advance any particular policy, no matter how meritorious. In America process is our most

important product. How objectives are obtained is usually as, if not more, important than the objective itself.

While HUD may believe its actions are appropriate and warranted to achieve a given objective, and while the majority in Congress may share that objective and pass statutes seeking same, no part of our Government has the right to divorce regulatory or legislative ends from constitutional means.

Below is the legislation I have introduced today, the above cited letter to Secretary Cisneros, and recent articles from the Wall Street Journal and Washington Post.

H. CON. RES. —

Whereas the freedom of speech protected under the first amendment to the Constitution of the United States is one of the guiding principles of this Nation: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the Department of Housing and Urban Development should not take any action that compromises, suppresses, or interferes with the exercise by any individual of the right of free speech, the right of free association, or the right to petition the Government for a redress of grievances through the legislative, executive, or judicial process.

COMMITTEE ON BANKING,
FINANCE AND URBAN AFFAIRS,
Washington, DC, August 17, 1994.

Hon. HENRY CISNEROS,
Secretary, Department of Housing and Urban Development, Washington, DC.

DEAR MR. SECRETARY: I am writing regarding media reports that the Department of Housing and Urban Development is investigating citizens who oppose the creation of housing for the homeless in their neighborhoods.

The enclosed August 8, 1994, Wall Street Journal indicates that HUD, under the authority of the Fair Housing Act Amendments of 1988, is investigating individuals in Berkeley, California, who protested the location of a homeless shelter near their home. This despite the fact, according to the article, that the protest was made through petitioning a local zoning board.

While I appreciate HUD's obligation to investigate any alleged violation of the Fair Housing Act, I am concerned that the Department's interpretation of the law may in this case be inconsistent with congressional intent. Further, investigations of this sort could potentially have a chilling effect on the willingness of citizens to exercise their constitutionally protected right to petition their government. Accordingly, I would appreciate being provided with HUD's summary of this investigation, information as to whether other similar investigations are now underway, as well as the Department's legal analysis of the appropriateness of such investigations under the Fair Housing Act Amendments of 1988.

Thank you for your attention to this matter.

Sincerely,

JAMES A. LEACH,
Ranking Member.

[From the Wall Street Journal, Sept. 14, 1994]

HUD CONTINUES ITS ASSAULT ON FREE SPEECH

RULE OF LAW

(By Heather MacDonald)

The Department of Housing and Urban Development still doesn't get it. This summer, a national outcry erupted over the agency's investigation of three Berkeley, Calif., residents who had peacefully protested the siting of homeless housing in their neighborhood. Now HUD has issued a set of guidelines intended to avoid such flagrant violations of the First Amendment. Though the new rules correct some of the agency's policies, they contain a loophole large enough to drive a homeless shelter through, as well as other exceptions that suggest that HUD's reign of terror is not over yet.

As reported on the Journal's editorial page on Aug. 8 and Aug. 23, HUD has been investigating individuals and community groups under the Fair Housing Act Amendments of 1988. Organized opposition to homeless shelters, drug-treatment centers and residences for the mentally ill—the theory went—constitutes "housing discrimination" against the disabled. The FHAA defines disability to include recovering addicts, alcoholics, the mentally ill and AIDS patients—in other words, most of the homeless population.

HUD's new guidelines prohibit the investigation of all "public activities that are directed toward achieving action by a governmental entity or official." Such activities include distributing pamphlets, holding open community meetings and testifying at public hearings. If an FHAA complaint alleges only such activities, HUD will not accept it for filing.

HUD will continue to investigate, however, groups or individuals who have taken their protest to court. This loophole eviscerates citizens' last line of defense against local governments that have been captured by the social-service industry. Under pressure from homeless advocates, cities routinely violate their own zoning rules regarding the siting of group homes for alcoholics, addicts and the mentally ill. Citizen challenges to such violations have been a mainstay of HUD's FHAA investigations to date.

For example, Seattle until recently prohibited the placement of social-service facilities within a quarter-mile of each other. Yet in 1992 the city approved the construction of five group homes for addicts and the mentally ill within a single city block. A local neighborhood group sued, charging a violation of the city's dispersion criteria. As a result, HUD has been investigating the group for the last year and could continue to do so under the new guidelines.

Richmond, Va., requires that medical facilities be located in areas zoned for apartment buildings and duplexes. Nevertheless, the city approved the siting of two medical hospices for AIDS patients—funded with a \$2 million grant from HUD—in a single-family zone. Neighbors tried to enjoin construction of the hospices. The individuals are now under investigation by Virginia's Office of Fair Housing. HUD's new guidelines would allow the complaining organization to go directly to the federal government for relief.

Ironically, the investigation that caused HUD's recent public-relations fiasco and led to the current guidelines was itself predicated on a zoning suit. The three Berkeley residents argued in court that their local zoning board's approval of a homeless housing project in their neighborhood was marred

by an egregious conflict of interest: The developer's director sat on the zoning board, and though she abstained from the project decision, she argued in its favor before her colleagues. HUD dropped its investigation of the Berkeley residents under public pressure. The next group of litigants may not be so lucky.

Incestuous relations between nonprofit developers and their government overseers have become the norm in cities across the country. And as local governments—often under pressure from HUD—embrace the philosophy of "mainstreaming" dysfunctional individuals into middle-class communities, violations of zoning rules will become more common. HUD's legal-action exception will continue to discourage challenges to municipalities that bend or break the law.

HUD's new guidelines carve out another exception to protected speech: Should citizens carry their activities beyond public agencies, they risk liability under the Fair Housing Act. In New York City, HUD investigated a group of neighbors in Manhattan's Gramercy Park who had allegedly tried to oust a homeless-housing developer for a private property. The developer recently dropped his complaint against the neighbors, but the theory that free-market competition may violate the Fair Housing Act Amendment remains viable under HUD's new rules.

Third, HUD will continue to investigate individuals and organizations who protest housing decisions if "the facts available to the Department do not reasonably indicate the precise applicability of the First Amendment." In other words, if an advocacy group writes a muddy enough complaint, it can continue to tap into the government's vast coercive power until the "precise applicability of the First Amendment" is determined. HUD's assurance that it will "carefully tailor" such investigations so as to "not unduly chill the exercise of free speech" is ludicrous. The very existence of such investigations, no matter how "tailored," can scare citizens into silence.

Finally, even if HUD formally ceases investigating individuals, it retains a potent tool of indirect censorship: holding a city liable for statements made by its residents. Though HUD has dropped its investigation of the Berkeley Three, it continues to investigate the city itself for their housing protest. Says Joseph Derlinger, one of the three protesters: "We can now speak, but the city can't listen to us."

Shortly before HUD released its new guidelines, Roberta Achtenberg, assistant secretary for fair housing and equal employment, published an article declaring the agency's respect for the First Amendment. She concluded, however, with the prediction that "we can expect more cases" in the fu-

ture like the investigation in Berkeley. Ms. Achtenberg's assumption that free speech remains in potential conflict with "fair housing" dashes any hope that HUD will interpret its guidelines broadly. Indeed, the new rules have resulted in dismissals of only 11 of HUD's 34 pending investigations against individuals and community groups. HUD Secretary Henry Cisneros should close all loopholes in the guidelines immediately and declare that all neighborhood political activity remains safe from government penalty.

[From the Washington Post, Sept. 14, 1994]

HUD'S ATTACK ON THE FIRST AMENDMENT

(By Nat Hentoff)

I am grateful to Housing and Urban Development Secretary Henry Cisneros and Roberta Achtenberg, his assistant secretary for fair housing and equal opportunity. Every fall, preparing for talks with school kids about the Bill of Rights, I look for a fresh, powerful example of James Madison's legacy to the nation:

"The censorial power is in the people over the Government, and not in the Government over the people."

From time to time in our history, the government has forgotten its place in our constitutional scheme of things, but never in recent years has an agency of the government—HUD—actually canceled the First Amendment right "to petition the Government for a redress of grievances" as well as other forms of free speech.

HUD's purpose was noble, just as Cisneros's motivation was well-intentioned when he proposed last spring that public housing tenants include in their leases a clause allowing the police to break into their apartment without a warrant in a search for guns and hoodlums. The secretary did not understand how anyone could oppose strengthened security in a trade for that technicality, the Fourth Amendment.

This time, he and Achtenberg wanted to make sure that the Fair Housing Act was firmly implemented—over any dissent. Accordingly, when, for example, federally subsidized housing projects for people with histories of substance abuse or mental disorders were proposed for various neighborhoods, HUD rode shotgun on those projects. If some neighbors objected and filed court actions, or wrote letters to public officials, they were rigorously investigated by HUD for discrimination. Membership lists of their organizations were seized, as were copies of correspondence, and all other notes concerning their conspiracy against the government and the Sermon on the Mount.

HUD made clear that the First Amendment would not be allowed to stand in the way of government good deeds in New York, Seattle, New Haven and other cities.

When talking to students, I shall point out that it doesn't matter whether an administration is Republican or Democratic. The urge to keep the people in their place can seize a public official at any time. Also, however, the end of all this—if it has ended—may give the school kids a more bracing view of the free press than they have been getting from adults. If the press had not covered HUD's attempt to revoke the First Amendment, I expect that protesting neighborhood groups would still be having their records subpoenaed—and would still be threatened with heavy fines simply for trying to get a hearing.

I also have a surprise for the students. In Richmond, Va., a neighborhood association objected to the placement of two facilities for AIDS patients in the middle of their neighborhood. The association questioned the legality of the zoning of those facilities. That led to an extensive investigation of that association by the Fair Housing Office of HUD.

The surprise is that—as Mary Ann Hirtz, president of the targeted neighborhood association notes—"the local ACLU, acting in behalf of the Richmond AIDS Ministry, filed a discrimination complaint demanding the investigation."

I have a copy of the complaint to HUD by Stephen Pershing, legal director of the Virginia affiliate of the ACLU. The complaint is that the neighborhood association had the unlawful temerity to file suit in state court to block construction of the residence.

The Virginia affiliate of the ACLU was also exercised over the fact that the opponents of the project "had made public statements designed to foster opposition to the . . . home . . . based on irrational prejudice, fear and animus toward those who will reside there."

Only benign speech has the imprimatur of the Virginia ACLU.

Worse yet, says the ACLU, opponents of the residence "have made statements to the press."

The lesson for the school kids is that not even an ACLU affiliate can be depended on to defend the First Amendment in the face of higher purposes. The national ACLU did, to be sure, tell Cisneros that he had lost his constitutional bearings. But so had the Virginia ACLU.

One large question remains. How did Cisneros and Achtenberg go so dangerously astray, for so long? Did no one else in government slip them a copy of the First Amendment? This was more than a minor attack on the Bill of Rights. Yet Cisneros and Achtenberg acted without public objection from anyone in the entire Clinton administration—including the White House and the Justice Department.